

BS00025

U.S. Application No. 09/752,267 Art Unit 2614
Response to April 20, 2006 Office Action

REMARKS

In response to the Office Action dated April 20, 2006, the Assignee respectfully requests entry of the above claim amendments and the following remarks. The Assignee respectfully submits that the pending claims are ready for allowance.

The United States Patent and Trademark Office (the "Office") rejected claims 1, 2, 30, and 31 under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. Claims 1-2, 5-6, and 30-32 were rejected under 35 U.S.C. § 103 (a) as being obvious over U.S. Patent 6,008,802 to Iki *et al.* in view of U.S. Patent 6,240,555 to Shoff *et al.* and further in view of U.S. Patent 5,917,481 to Rzeszewski *et al.* Claims 3 and 4 were rejected under 35 U.S.C. § 103 (a) as being obvious over Iki in view of Shoff and Rzeszewski and further in view of Published U.S. Patent Application 2003/0131356 to Proehl *et al.* Claims 7 and 33 were rejected under 35 U.S.C. § 103 (a) as being obvious over Iki in view of Shoff and Rzeszewski and further in view of U.S. Patent 6,597,405 to Iggulden. Claim 9 was rejected under 35 U.S.C. § 103 (a) as being obvious over Iki in view of Shoff and Rzeszewski and further in view of U.S. Patent 6,104,423 to Elam. Claims 10-11, 15-17, 20-21, and 27 were rejected under 35 U.S.C. § 103 (a) as being obvious over Iki in view of Shoff. Claims 13-14, 19, 25-26, and 28-29 were rejected under 35 U.S.C. § 103 (a) as being obvious over Iki in view of Shoff and Proehl. Claim 22 was rejected under 35 U.S.C. § 103 (a) as being obvious over Iki in view of Shoff and Iggulden. Claim 24 was rejected under 35 U.S.C. § 103 (a) as being obvious over Iki in view of Shoff and Elam.

Allowable Claims 8 & 23

Examiner Ma indicates that claims 8 and 23 would be allowable if rewritten. Claims 8 and 23, then, have been amended to incorporate all the features of their respective base claims. Claims 2-9, 17, and 19-29 are thus ready for allowance. A Notice of Allowance is respectfully requested.

Rejection of Claims under § 103 (a)

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All the § 103 (a) rejections are moot. Claims 1, 10-16, 18, and 30-33 have been cancelled, so their § 103 (a) rejections are moot.

Claims 2-7 and 9 now depend from allowable claim 8.

Claims 17, 19-22, and 24-24 now depend from allowable claim 23.

Rejection of Claims under § 112

The Office rejects claims 1, 2, 30, and 31 under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement.

Claim 1 has been cancelled and incorporated into allowable claim 8. As suggested by Examiner Ma, allowable claim 8 recites "*receiving a data tag with Electronic Programming Guide data, the data tag comprising control data relating to the programming, the data tag added to an end of a program description field in the Electronic Programming Guide data.*"

Claim 2 has been amended to recite "*wherein the data tag comprises an ASCII character that prevents display of the data tag in the program description field.*"

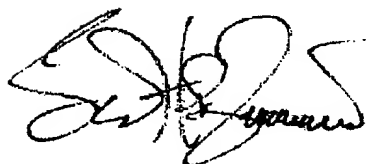
Claims 30 and 31 have been canceled, so their § 112 rejections are moot.

If any questions arise, the Office is requested to contact the undersigned at (919) 387-6907 or scott@wzpatents.com.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Scott P. Zimmerman", is written over a horizontal line.

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